

From: David
To: Microsoft ATR
Date: 1/23/02 10:46am
Subject: Microsoft Settlement

Dear Sir or Madam,

I am writing in regards to the proposed settlement of the Microsoft Anti-trust case.

In my considered opinion as a Computing Systems Manager I must disagree with the proposed settlement as it is currently written. While I agree with the decision that Microsoft is in violation of anti-trust laws, I feel that the current proposed settlement needs additional work and review before it will effectively curtail these monopolistic practices.

In broad strokes, my primary objections are as follows.

1. The wording of restrictions need further examination for loopholes and easy methods of circumvention. I suggest that the attorney's involved seek additional technical/computing advisement in understanding the details and ramifications of these issues.
Example: The Definition of Microsoft Middleware is overly exclusive and appears to be avoidable by changing version numbering or distribution methods.
2. API and Protocol sharing are too limited to insure that other developers and operating systems can compete with MS products. The limits placed on what must be shared/revealed does not address the issue of "porting" software designed to run on the Windows line of MS operating systems to other OS's or support for software designed to run Windows based applications on systems running a non-Microsoft Operating system.
Example - This would not reduce the application barrier to entry for such software as the WINE project that endeavors to allow the use of software written for Windows on a computer running the Linux OS.
3. Enforcement of the decision and the watchdogging of MS's compliance needs further review and strengthening. The specifications for who can serve in this role need greater definition and the position needs more ability to enforce the settlement and curtail further monopolistic practices.
4. The settlement does not address proprietary digital document formats. This is a very specific issue but very important. One of the greatest barriers to competition with MS Software is the proprietary

nature of documents created using the MS Office Suite software. The MS Word document format has become the de facto standard in business. Due to the proprietary nature of its encoding no other developer of word processor software can gain significant entry into the market due to the inaccessibility of this format. In practice a business MUST use MS Office to do business with other companies. This also has the effect of effectively reducing the choice of operating systems to be used by businesses to those OS's that run Microsoft Office, thus reducing competition in the OS market as well.

There are many other issues that seem to make the current settlement less than effective. Please consider researching some of the excellent commentaries and essay's available by other concerned parties as they far exceed my modest research.

To restate, I can not advice acceptance of the current proposal and strongly suggest continued revision and strengthening of the measures taken to rectify the damage already done by Microsoft's anti-competitive practices and prevent their use in the future. Please feel free to contact me if I may be of help in any way.

Thank you,

Sincerely,

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